



03834 A01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel SHERWIN
Serial Number: 10/766,499
Filed: January 27, 2004
For: LENS PROTECTION MECHANISM
Art Unit: 2851
Examiner: MAHONEY, C. E.

Mail Stop Amendment
Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This letter is in response to an Office Action dated December 2, 2004, in the above referenced application. The present application includes claims 1-16.

Claims 1-16 stand rejected under the judicial created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-16 of U.S. patent 6,731,867. Although applicant disagrees with this rejection, applicant is filing herewith a terminal disclaimer which overcomes the rejection.

Claims 1, 2 and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Tsui (US patent 5,050,975). Applicant respectfully traverses the rejection and states that the Examiner has not established a *prima facie* rejection, since the Examiner has not shown at least one limitation of claim 1.

Claim 1 requires at least one counter rotating object whose rotation substantially cancels out angular momentum caused by the rotation of the disc. As is known in the art, angular momentum is the product of the linear momentum and the radius from an origin point. The linear momentum of an object is defined as the product of the velocity and the mass of the object. Exemplary methods of canceling angular momentum are described in the present application on page 6, lines 26-33. In order for supporting wheels 32 of Tsui to have an angular momentum which cancels the angular momentum of transparent glass 35, given the sizes of wheels 32 and glass 35 seen in Fig. 1 of Tsui, the mass of the support wheels 32 needs to be much greater than

the mass of glass 35. This is not taught or suggested by Tsui, and cannot be achieved by accident, as the expected mass of wheels 32 from Fig. 1 is much lower than required to achieve cancellation of the angular momentum.

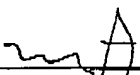
Claims 1, 3 and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by MacPherson (US patent 2,298,063). Applicant respectfully traverses the rejection and states that the Examiner has not established a *prima facie* rejection, since the Examiner has not shown at least one limitation of claim 1.

Claim 1 requires at least one counter rotating object whose rotation substantially cancels out angular momentum caused by the rotation of the disc. MacPherson does not teach or suggest adjusting the mass and/or locations of the gears and pinions (14, 26, 32) of his device in order to cancel the angular momentum of the moisture removing disk 1. Achievement of the cancellation of the angular momentum by accident is very unlikely, given the number of gears and pinions which rotate in opposite directions.

The dependent claims are allowable at least by virtue of being dependent on independent claim 1, which as discussed above is considered allowable.

In view of the above remarks, applicants submit that the claims are patentable over the prior art. Allowance of the application is respectfully awaited. If, however, the Examiner is not convinced and the Examiner is of the opinion that a telephone conversation may forward the present application toward allowance, applicants respectfully request that the Examiner call the undersigned at 1 (877) 428-5468. Please note that this is a direct *toll free* number in the US that is answered in the undersigned's Israel office. Israel is 7 hours ahead of Washington.

Respectfully submitted,
Daniel Sherwin



Maier Fenster
Reg. No. 41,016

May 31, 2005
William H. Dippert, Esq.
Wolf, Block, Schorr & Solis-Cohen LLP
250 Park Avenue
New York, New York 10177